

REMARKS

Claims 1-16 are in this application and are presented for reconsideration. By this amendment, Applicant has changed the claims to more clearly highlight the important combination of features of the invention.

The invention is based on a cooperation of two different detent structures. In the embodiment of Figure 1 the mirror foot 1 has a sleeve 7 which holds the first detent element 11. The detent element 11 as described in the specification has a spring force that provides an elastically sprung coupling when it engages the first detent contour 12. The original claim highlighted the structures as two parts, namely a spring cooperating with a first detent element. However, the specification highlights the structure of this embodiment wherein the first detent element has a spring action or provides an elastically sprung coupling. Accordingly, Applicant has now clarified the claims in this regard. Applicant believes that this also addresses the rejection under 35 U.S.C. Section 12, first paragraph as discussed further below.

In the embodiment of Figure 1 the mirror carrier 3 has a structure defining a recess which includes the first detent contour 12. The first detent contour 12 cooperates with the first detent element 11 to produce a latching when the mirror carrier and mirror foot are connected together as described. However, with the elasticity or resiliency of the detent element 11 (the spring in the detent element 11) the application of force to the mirror carrier 3 will result in axial movement of the mirror carrier 3 relative to the mirror foot 1 based on the elasticity or spring action of the detent member 11. Specifically, the spring nature of the detent element 11 allows this relative movement. The invention is based on providing this relative movement

for cooperation with the second detent contour, 15, 16. The second detent contour 15, 16 acts to fix the rotational position of the mirror carrier relative to the mirror foot. By allowing some movement via the spring nature of the first detent element 11 the mirror carrier can be unlatched with regard to its rotational position. The cooperating structure is simple in design, rugged in construction and economical to manufacture. Additionally this structure avoids the problems of past arrangements, namely provides a safe structure which will allow yielding or movement of the mirror carrier in a situation which requires it while allowing proper positioning of the mirror in normal situations.

Each of the other embodiments include similar structure of a first detent element which has a spring characteristic or cooperating spring portion. As such, it is Applicant's position that even revised claim 1 is still generic in reading on all of the embodiments.

New claim 16 is specific to the embodiment of Figure 1.

The Examiner has taken the position that claims 1-15 cannot read on the elected species based on the issue with regard to the spring and first detent element as noted above. It is Applicant's position that the claims as presented should be considered generic based on the first detent element either having a spring action or being a ridged structure connected to a spring portion (forming a two piece detent element with spring action). All of the embodiments have this in common. In any event, it is Applicant's position that claim 1 clearly reads on the embodiment elected and should also be considered to be generic reading on the various other embodiments. Accordingly, reconsideration is requested particularly in view of the clarified claims as now presented.

Claims 1-15 have been rejected under 35 U.S.C. Section 112, first paragraph as containing subject matter which was not described in the specification.

Applicant has now clarified the claims to remove the issues as to the presence of a spring and first detent element. As noted, the structure labeled 11 with regard to the first embodiment includes each of these functional features, namely it is a detent element with spring characteristic (a flexible element which applies a spring force when moved out of its rest or normal position). Accordingly, with this clarification, it is Applicant's position that all issues under 35 U.S.C. Section 112, first paragraph have been addressed.

Claims 1-15 had been rejected under 35 U.S.C. Section 112, second paragraph as being indefinite. Applicant has made clarifying changes with regard to the spring nature of the first detent element, the first detent contour and second detent element and second detent contour. The claims highlight the cooperation between structure and should now be considered clear and definite. Applicant has also addressed all of the issues raised by the Examiner. It is Applicant's position that the claims as now presented are clear and definite and fully conform with the requirements of the statute.

The specification has been objected to as not providing proper antecedent basis to all of the claimed subject matter. Applicant has now made minor changes to the specification to address this issue. It is Applicant's position that the first detent element has been mentioned at page 13 line 11 and Applicant has clarified the first detent contour and second detent contour structures in the specification.

Applicant requests that the Examiner consider references which have been cited in a

corresponding Search Report issued on or after May 28, 2003 and received by Applicant's representative on June 27, 2003.

U.S. 3,889,915 has been cited under Category X as to European claims 1-6, 8, 10 and 14 with Figures 1-5 indicated to be relevant. The references discloses a collapsible rear view mirror apparatus.

DE 17 55 5 77 has been cited under Category A as to European claims 1, 8, 9, 13 and 14. Figures 1 and 3-5 as well as column 3 line 5 through column 4 line 38 are indicated to be relevant. The reference relates to a rear view mirror for road vehicles. As the reference is not in English, Applicant attaches a copy of GB 1,212,988 which is indicated to be a corresponding British patent document.

Applicant also attaches a copy of the European Patent Search Report.

As the references are being filed within three months of the citation by the European Patent Office, no fee is due.

Applicant respectfully requests that the Examiner favorably consider the application in view of the revised claims and in view of the discussion above.

Respectfully submitted
for Applicant,

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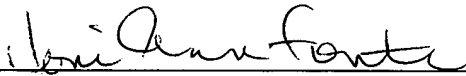
Enclosed: Petition for Extension of Time
Request To Charge Deposit Account
PTO 1449 Form including references
European Search Report

DATED: July 10, 2003
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